

### **REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

#### **Disposition of Claims**

Claims 1-15 are pending in this application. Claims 1, 7, and 11 are independent. The remaining claims depend, directly or indirectly, from claims 1, 7 and 11.

#### **Inventor Name**

Applicant respectfully points out that the Examiner misspelled the first named inventor's last name on page 2, item number 2 of the Office Action. The first named inventor's last name is Ryzl and not Ryzle.

#### **Drawings**

Applicant hereby submits replacement formal drawing sheets for Figures 1-20 that comply with the requirements of the USPTO. No new subject matter has been added by way of the replacement sheets. Applicant respectfully requests that the Examiner acknowledge the replacement drawing sheets as formal.

#### **Objections**

The specification was objected to by the Examiner for improper incorporation of essential material by reference to a hyperlink. The specification has been amended to remove all instances of hyperlinks. Accordingly, withdrawal of this objection is respectfully requested.

#### **Rejections under 35 U.S.C. § 112**

Claims 2, 3, 13, and 14 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinitely for failing to adequately defining the term "Integrated Development Environment." This rejection is respectfully traversed.

Applicant asserts that the term “Integrated Development Environment” is particularly pointed out and distinctly claimed. An Integrated Development Environment (IDE) is a commonly used term in the art for a type of software development tool as described on page 4, paragraph [0010], Figure 5, and page 20, paragraph [0067]. Specifically, an IDE is a tool that typically allows for development of software applications using an editing tool, compiler, debugger and packager in one product. As claimed in the present invention, the IDE with the plug-in module adds the ability to program, observe, and test applications for wireless-connected devices in an IDE without requiring downloads of applications onto a particular device to test the application. Further, Applicant respectfully asserts that the term IDE is well-known in the art as shown by products such as Forte<sup>™</sup> for Java<sup>™</sup> IDE (*i.e.*, Figure 5 of the present application) and NetBeans<sup>™</sup> Open Source Project.

In view of the above, the term “Integrated Development Environment,” as used in claims 2-3 and 13-14 is adequately defined. Accordingly, withdrawal of this rejection is respectfully requested.

### **Rejections under 35 U.S.C. § 103**

Claims 1-15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA) in view of U.S. Patent No. 6,282,152 (“Kurple”). Independent claims 1, 7, and 11 have been amended to clarify the present invention as recited. To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

The present invention relates to software development tools utilizing integrated emulators for developing applications that are executed on wireless devices. Specifically, the present invention relates to using an emulator that emulates a wireless device, where the emulator runs on a virtual machine and executes an application developed for the emulated wireless device. Further, the present invention discloses that a module, which includes development tools for creation of applications executing on the emulated wireless device, is integrated in an Integrated Development Environment (IDE).

With respect to the rejection of claim 1, claim 1 has been amended to include the limitation “wherein the emulator executes the application.” As described above, the emulator of

the present invention emulates a wireless connected device, such as a cell phone. Subsequently, applications developed using the module, such as games that are run on the cell phone, are executed on the emulator that is emulating the cell phone. The Examiner admits that APA does not disclose the emulator integrated with the module that is used to create and develop applications for wireless devices. Further, Kurple does not disclose that which APA lacks.

Kurple, in contrast to the present invention, relates to transmitting coded signals to control or to activate preprogrammed features of a device. Specifically, Kurple discloses that a universal controller emulates a *control signal* from each of a plurality of wireless transmitters (col. 2, ll. 52-54). A control signal is a wireless signal that is used to control a specific part of a system. Kurple fails to teach or suggest an emulator that emulates an entire wireless device. Rather, Kurple discloses emulating *transmissions of* a wireless device (*i.e.*, the wireless transmitter) and not a wireless device for which applications are being developed. Further, the emulator disclosed in the present invention is configured to execute the applications developed for the emulated wireless device. Kurple does not disclose or suggest that the emulator emulating a plurality of control signals executes an application on the emulated wireless device. The emulator of the present invention has nothing to do with control signals or transmissions of a wireless device; rather, the emulator is used to emulate the execution of an application on a wireless device, as recited in amended claim 1 of the present invention. Thus, it is clear that Kurple fails to teach or suggest an emulator as defined in the present invention.

In view of the above, APA and Kurple, whether considered separately or in combination, do not render claim 1 of the present invention obvious. Dependent claims 2-6 are patentable for at least the same reasons. Further, independent claims 7 and 11 include similar allowable subject matter (*i.e.*, a module integrated with an emulator that executes an application) and are patentable over APA and Kurple for at least the same reasons as claim 1. Dependent claims 8-10 and 12-15 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

## **Conclusion**

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the

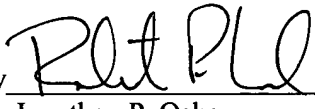
• **Application No.:** 09/803,835

**Docket No.:** 16159/012001; P5534CNT

Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 16159/012001; P5534CNT).

Dated: November 23, 2004

Respectfully submitted,

By  Reg. No. 46,479  
Jonathan P. Osha  
Registration No.: 33,986  
Osha & May L.L.P.  
1221 McKinney, Suite 2800  
Houston, Texas 77010  
(713) 228-8600  
(713) 228-8778 (Fax)

79674\_1.DOC